

Policies for Administrative Resolution of Late Fees

To achieve the purpose for assessing fees on the late filing of registration statements and activity reports, the Commission has determined the late fee may be administratively resolved, subject to the following limitations and conditions:

- (1) **Late Statement or Report-General Rule.** Except as otherwise provided in subdivision (4), these policies for administrative settlement of late fees apply only if a written appeal for waiver or reduction of the late fee is filed with the late registration statement or activity report. Thus, as a general rule, an appeal for the waiver or reduction of the late fee will not be accepted after the late registration statement or activity report is filed.
- (2) **Late Statement or Report-Filing After Notification .** The deadlines for filing are set forth in the Indiana Code and also posted on the Commission's website. Thus, the Commission does not send notices of filing deadlines to lobbyists. The Commission does send a written notice to a lobbyist when it believes that the lobbyist has failed to file a required registration statement or activity report. If a lobbyist has been given such a written notice of the lobbyist's failure to file a registration statement or activity report, then these policies for administrative settlement of late fees apply only if the lobbyist files both the late statement or report and the written appeal within ten (10) business days after the date of the written notice.
- (3) **Error that Delays Processing-Timely Correction.** This subdivision (3) applies if a registration statement or activity report is filed on or before the due date, but there is a missing or incorrect signature, a missing or unsigned check, missing or incorrect required information, a mathematical error, or other issue that prevents staff from processing the document. If this subdivision is applicable, the Commission will send a written notice informing the lobbyist of the issue that has delayed processing of the registration statement or activity report. For the filings to correct an error or make an amendment to a registration statement or activity report that was timely filed, a written appeal for waiver or reduction of the late fee is *not* required and no late fee will be imposed, if the issue that delays processing of the registration statement or activity report is corrected within ten (10) business days after the date of the written notice. In such a case, the registration statement or activity report will be treated as having been filed on or before the due date.
- (4) **Error that Delays Processing-Not Corrected in Timely Manner.** If an issue described in subdivision (3) is not corrected within the time period described in that subdivision, the registration statement or activity report will be considered late, and the late fee provided for under IC 2-7-2-2 or IC 2-7-3-2, as the case may be, will accrue beginning with the day after the filing deadline at the rate of \$100 per day until it reaches the maximum of \$4,500. In such a case, the lobbyist may appeal for the waiver or reduction of the late fee, and the late fee may be administratively resolved in the manner prescribed in these policies.
- (5) **Manner of Giving Notice.** The Commission shall use first class U.S. mail to give a notice referred to in these policies.
- (6) **Other Late Filings.** If the circumstances for the late filing of a registration statement or activity report are not addressed in these policies, then the late fee may not be resolved administratively. In such a case, only the Commission may determine whether a late fee waiver or reduction should be granted. To obtain such a waiver or reduction, the lobbyist must file a timely appeal of the late fee with the Commission.

<i>Description</i>	<i>Adjusted Fee *</i>
Error that Delays Processing-Timely Correction. A registration statement or activity report is filed on or before the due date, but there is a missing or incorrect signature, a missing or unsigned check, missing or incorrect required information, a mathematical error, or other issue that prevents staff from processing the document.--- <u>Appeal not Required</u>	The late fee will be \$-0- if the issue is resolved within 10 business days after the lobbyist is notified in writing.
Late Filing—No Prior Late Filing. A registration statement or activity report is filed after the due date and the lobbyist has not been late in filing any other required statement or report during the last four years. --- <u>Appeal Required</u>	Late fee will be limited to \$300 if the issue is resolved within 10 business days after the lobbyist is notified in writing.
Late Filing—One Prior Late Filing. A registration statement or activity report is filed after the due date and the lobbyist has not been late more than one other time in filing another required statement or report during the last four years. --- <u>Appeal Required</u>	Late fee will be limited to \$500 if the issue is resolved within 10 business days after the lobbyist is notified in writing.
Late Filing—More than One but not More Than Two Prior Late Filings. A registration statement or activity report is filed after the due date and the lobbyist has been late more than one but not more than two other times in filing another required statement or report during the last four years. --- <u>Appeal Required</u>	Late fee will be limited to \$1000 if the issue is resolved within 10 business days after the lobbyist is notified in writing.
Late Filing—More than Two Prior Late Filings. A registration statement or activity report is filed after the due date and the lobbyist has been late more than two other times in filing another required statement or report during the last four years. --- <u>Appeal Required</u>	Late fee will be limited to \$2,500 if the issue is resolved within 10 business days after the lobbyist is notified in writing.

These policies remain in effect until April 1, 2013, unless they are replaced or extended by the Indiana Lobby Registration Commission before that date.